

TOWN OF FERRISBURGH
REPORT OF SELECTBOARD HEARING ON
PROPOSED AMENDMENTS TO LAND USE REGULATIONS
January 18th, 2021

1. After due notice the hearing was opened on Zoom by Selectboard Chair, Jessica James, at 6:34 pm.
2. Present: Clark Hinsdale, James Benoit, Chris Campbell, Bonnie Barnes (ZA), Arabella Holtzapfel, Walter Reed, Anne Cohn, Katie Quinn, Michael Quinn, Karen Pettersen, Deanna Shapiro, Charles Shapiro, Cindy Schultz, Carl Cole, Mary Anne Michaels, Jean Richardson.
3. Bonnie Barnes reported that she had received comments from Paul Hoffman (Fire Department), who was not able to attend. Paul was seeking assurances that the Land Use Regulations have been amended to include language which requires all new construction to contact the Fire Department so that Fire Safety and access for emergencies can be assessed prior to construction. This includes evaluating such aspects as long driveways in isolated areas of town. This language has been added to the Regulations. Paul also requests a definition of Fire Safety.
4. Clark Hinsdale had reviewed the entire Draft Land Use Regulations, and had circulated a detailed list of minor issues that he wished to have addressed. This list of 8 items was shared on screen for all to see, and each point was discussed.

Page 18 – Setbacks – is the 100- foot setback from route 7 from the center or edge of the road? - will be clarified

Page 22 – Shoreline minimum lot dimensions. Minimum lot depth is proposed to remain 300 feet in a Zoning district that, in most places, is only 250 feet deep. The new North Ferrisburgh Village District, also a 2 – acre district, is proposed to have a 200-foot depth minimum. Shouldn't the minimum dimensions of 2 – acre zones be the same. After discussion it was agreed to reduce the Shoreline District depth to 250 feet.

Page 24 – Abandonment of Structures - The Selectboard recently discussed this issue for a potential ordinance and decided not to move forward with it at this time. Are we prepared to have our Zoning Administrator enforce this regulation? After discussion the language will remain unchanged.

Page 26 – Section 5.10 “Small Lots” – this section refers to following the guidelines in paragraph (B), but I believe it should be paragraph (C). This typo was corrected.

Page 32 – Section 5.37 (C) – we are requiring applications to develop in a wetland to have an advance sign-off from the state before our Boards will take up the application. This is a different procedure than we use for other projects that require both local and state permits. It was agreed that this issue is adequately covered in 5.37(A) and thus paragraph 5.37(C) was deleted.

Page 36 – Section 6.15 Effective Date - “Conditional use permits shall take effect upon adjudication by the Zoning Board.” This condition seems too vague. Is the approval good upon the Board voting approval? Upon approving the meeting minutes? Upon a permit from the ZA? Or upon the expiration of the appeal period? We need clarity unless is it just me that doesn't understand what is intended here. After discussion new language was proposed and agreed to as follows: " Conditional use permits shall take effect 30 days from date of issuance."

Page 42 – Section 10.2 (B) 9. - Here we ask that an application make, “A statement as to whether or not Act 250 applies, or may apply to the proposed development.” As with the wetland ‘state signoff’, this is a requirement that is not requested for other state permits. And is the applicant qualified to make that statement? After discussion it was decided to leave the language as presently proposed but verify with Town Attorney.

Page 49 – 50 Sections on the composition of the PC and ZB appear to be silent on the size of those bodies and do not address the issue of alternates when one or more board members has a conflict of interest or is otherwise unable to participate. Suggestion – insert statutory language. Statutory citation will be added. "see 24 VSA Section 4460”.

5. Charlie and Deanna Shapiro and Cindy Schultz requested confirmation that no changes had been made to the Shellhouse Mountain area of the Conservation District. This was verified.

6. The Hearing was adjourned at 7:16 pm on MOTION of Jim Benoit, seconded by Chris Campbell.